

As with the prior motion for sanctions, Plaintiff cites no authority in support of his motion.

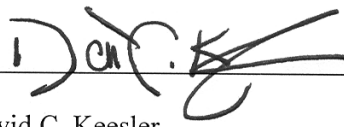
The Court will construe that the motion is being brought pursuant to Fed.R.Civ.P. 37(b)(2). Rule 37(b)(2) provides the Court authority to issue sanctions against another party or party officer failing to “provide or permit discovery.”

In response, Defendants contend that the motion for sanctions is frivolous and should be denied. (Document No. 91). The undersigned finds that Defendants’ opposition brief provides rational responses and/or explanations refuting each of Plaintiff’s allegations. Plaintiff has filed a reply brief (Document No. 93), apparently in support of his motion for sanctions; however, Plaintiff’s reply brief raises new issues not addressed in either the motion itself (Document No. 84), or the Defendants’ response (Document No. 91). According to the Local Rules, “a reply brief should be limited to a discussion of matters newly raised in the response.” Local Rule. 7.1(E).

Even construing the *pro se* Plaintiff’s motion for sanctions in the most favorable light, it appears to be without merit. Plaintiff offers no persuasive argument, authority, or evidence that supports his motion, or that refutes Defendants’ opposition.

IT IS, THEREFORE, ORDERED that Plaintiff’s “...Motion For Sanctions ...” (Document No. 84) is **DENIED**.

Signed: February 15, 2011



David C. Keesler
United States Magistrate Judge

